

Shorelands and Environmental Assistance Program

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Program Mission

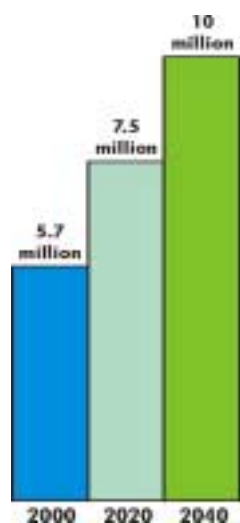
The mission of the Shorelands and Environmental Assistance (SEA) Program is to work in partnership with communities to support healthy watersheds and promote statewide environmental interests.

Environmental Threats

Washington State is blessed with an abundance of rivers, streams, lakes, wetlands, and marine waters. These priceless shoreline and aquatic resources are part of the natural beauty that attracts people to the state. Ironically, this attraction presents the greatest threat to the very resources that create the allure.

By the middle of the 21st century, Washington's population is expected to double, adding the equivalent of 29 cities the size of Tacoma.

Increased population leads to increased development and places a growing strain on existing utilities, infrastructure, and natural resources. On average, more than 700 shoreline permits and 600 water quality certifications are written each year for development and other activities along rivers, lakes, and marine shorelines. Increased demand for energy and transportation improvements place added stress on aquatic resources.



Population Projection

The challenge facing the citizens of Washington is how best to allow and support appropriate development while ensuring the long-term health of watersheds. This includes preventing the incremental degradation of fish and wildlife habitat and water quality. It also means reducing the threats of flooding and erosion to public safety and property.

Authorizing Laws

- Chapter 90.58 RCW, Shoreline Management Act
- Chapter 90.82 RCW, Watershed Planning Act
- Chapter 86.16 RCW, Floodplain Management Act
- Chapter 86.26 RCW, State Participation in Flood Control Maintenance
- Chapter 90.71 RCW, Puget Sound Water Quality Program
- Chapter 43.220 RCW, Washington Conservation Corps
- Chapter 90.48 RCW, Water Pollution Control Act
- Chapter 43.21 RCW, State Environmental Policy Act
- Chapter 90.84 RCW, Wetlands Mitigation Banking
- Chapters 90.03.265 and 43.21a.690 RCW, Cost Reimbursement
- Transportation Streamlining (ESB 6188, 2001 Legislative Session)
- Coastal Zone Management Act, 16 U.S.C. 1451 *et seq.*

Constituents/Interested Parties

- Local Government
- State and Federal Resource Agencies
- Tribes
- Business
- Environmental Organizations
- Citizens/Property Owners

Major Activities

Help Communities Improve Shoreline Management

The Shoreline Management Act (SMA) establishes a cooperative program between local and state governments, in which local governments develop and administer local shoreline master programs, and the agency provides support and oversight. This includes updating state guidelines, as needed (see major

issues below), providing technical assistance to local governments, reviewing shoreline permits to ensure an appropriate level of resource protection and implementation of shoreline management policies, and providing financial assistance for master program updates and local shoreline projects.

In the coming biennium, agency staff will provide targeted technical assistance to communities updating and implementing their shoreline master programs. A technical outreach team has been created to support jurisdictions moving forward with their updates. Agency staff also will continue to provide timely review and comments on shoreline permits, investigate shoreline complaints and coordinate with local governments on compliance and enforcement issues, and develop, maintain and share data, and information that support shoreline decision making.

Increase Compliance with Environmental Laws

The agency issues water quality certifications and coastal zone management consistency determinations for water related construction projects. The agency also issues and reviews shoreline permits, as mandated by the Shoreline Management Act. Once permits or approvals are issued, it is up to the applicant to comply with permit conditions. For the agency, there is a cost to ensuring compliance. Reviewing project mitigation reports, consulting with local governments and property owners, making field visits, and taking formal or information enforcement actions all take staff resources. Over the years, it has been difficult for the agency to devote staff time to compliance when new projects and permits demand immediate attention.

In the 2001-03 biennium, the SEA Program will work to increase compliance in two areas. First, staff will continue a recently initiated effort to review and evaluate compliance on selected shoreline variances and conditional use permits. This effort has already helped highlight projects potentially out of compliance with their permits. More importantly, the compliance review effort has helped program staff learn how to write shoreline permits that are more effective.

Second, the agency will begin to focus more attention on compliance for water quality certifications. The agency will develop a compliance monitoring program that outlines procedures for compliance review and identifies the data management needs for effective compliance tracking.

Review Projects

One of the SEA Program's primary goals is to ensure efficient and environmentally sound land use decisions. The program addresses this goal using several approaches. For example, the agency's Permit Assistance Center provides applicants with a "one-stop" shop for information, contacts, applications, and assistance with the environmental permitting and regulatory decision making process through four regional locations across the state.

The state's cost reimbursement program provides an optional process in which applicants can reimburse the agency for the cost of hiring contractors to perform work that is outside of the agency's workload capacity. "Out-sourcing" excess workload through the cost reimbursement program is an effective tool for delivering regulatory and permit decisions in a timely manner when the agency does not have the capacity to meet all project review needs.

The SEA Program is beginning an effort to provide tools to integrate state and local plans and policies with environmental analysis. This comprehensive approach will be applicable to plans, programs, policies, and regulations of local governments and state agencies.

Finally, the agency will continue its ongoing project review work by administering the State Environmental Policy Act (SEPA), issuing water quality certifications, making Coastal Zone Management federal consistency determinations, and coordinating the state response to various federal permits.

Protect, Restore, and Enhance Habitat

The degradation and loss of aquatic habitat is a growing concern in Washington, especially given

the decline of salmon and other aquatic species. The SEA Program will employ a variety of strategies to protect, restore, and enhance habitat.

The Washington Conservation Corps will place 25 crews around the state to work on a variety of watershed restoration and enhancement projects. In all, crews will restore or enhance up to 85 miles of riparian habitat this biennium.

The Padilla Bay National Estuarine Reserve in Skagit County is jointly operated by the Department of Ecology and the National Oceanic and Atmospheric Administration. Besides offering a variety of estuary education programs to students, citizens, and decision makers, the reserve will continue to study and control the spread of the invasive plant *Spartina alterniflora*. Invasive species are an increasing threat to habitat health in Washington waters.

Wetlands mitigation banking is a tool that creates an economic incentive for restoring, creating, enhancing, and/or preserving wetlands. Mitigation banks typically involve the consolidating many small wetland mitigation projects into a larger, potentially more ecologically valuable site. In 1998, the Washington State Legislature adopted the Wetlands Mitigation Banking Act. This biennium, the agency will adopt final rules for mitigation banking and develop guidance materials for agencies and banking applicants.

Finally, agency staff will continue to provide ongoing technical assistance to protect habitat. This includes site visits, one-on-one consultations, training workshops, Web site development, data dissemination, publications, and more. In addition, a new coastal training initiative is being developed under the leadership of staff at the Padilla Bay Reserve. This effort will coordinate and develop a variety of training for coastal decision makers, including workshops on habitat protection and restoration.

Support Local Watershed Management

Diminishing water availability and quality, and the loss of crucial habitat for fish and wildlife are key

issues facing Washington State. The state depends on reliable supplies of clean water to support growing communities, restore our fisheries resources, and support agricultural production. The 1998 Legislature passed the Watershed Planning Act to provide a framework for local citizens, interest groups, and government organizations to collaboratively identify and solve water related issues through watershed planning.

This biennium, agency staff will coordinate watershed planning efforts in 40 or more of the state's 62 watershed resource inventory areas (WRIAs) by providing technical support and representing the state's interests at the local planning tables. The agency also will administer an annual grants program of more than \$5 million for local planning and assessment efforts. This includes a new funding program specifically aimed at setting minimum stream flows.

Reduce Flood Hazards while Protecting Environmental Interests

Washington is one of the most flood prone states. Since 1971, the state has received 24 presidential disaster declarations for flooding, including 10 declarations in the 1990s. Damages from flooding have been considerable. For example, the floods of 1990 caused \$250 million in damages, while the floods that occurred between November 1995 to June 1997 caused \$375 million in damage to state transportation facilities alone.

The Department of Ecology, through the Flood Control Assistance Account, supports local governments by providing funding and technical assistance for plans and projects to reduce flood hazards. The Department of Ecology is also the state's coordinating agency for the National Flood Insurance Program and provides technical assistance and support to the 250 communities enrolled in the program. This biennium, the agency will work in partnership with the Federal Emergency Management Agency to produce better floodplain maps for local governments to use in regulating development.

Major Issues

Shoreline Master Program Guidelines

For the past five years, the agency has been engaged in a process to update the shoreline master program guidelines. The guidelines provide minimum statewide requirements for local government shoreline master programs. The rules, adopted in November 2000, were subsequently invalidated by the state Shorelines Hearings Board in August 2001 and were remanded to the agency.

At the time this document was published, the decision by the hearings board is being appealed, but the parties will try to reach a settlement. However, the challenge for the state remains the same: improve shoreline management practices to reflect current scientific understanding of shoreline ecology, and achieve balanced and effective resource management. Accomplishing this will require clear guidelines, sufficient technical support, more funding, and more time for communities to update their shoreline master programs.

Streamlining Environmental Permitting

Permit streamlining is a significant area of interest to the agency. Through the activities of the Permit Assistance Center, the Governor's Competitiveness Council, and the Transportation Permit Efficiency and Accountability Committee (e.g. ESB 6188, 2001 session), the agency will consider a variety of streamlining solutions. The challenge in permit streamlining is to develop timely and predictable permitting processes that result in projects that meet environmental standards and objectives and aren't vulnerable to appeal. The agency will continue to focus attention on this significant issue throughout the biennium.

Salmon Recovery and the Endangered Species Act

The Endangered Species Act (ESA) listing of several salmon species will continue to affect the agency's regulatory, financial assistance, and technical support activities for years to come. Permit decisions, grant agreements, and guidance

documents must now all be assessed for their potential effects on salmon. The challenge for the agency is to continue to operate under existing state authorities without violating the ESA (e.g. causing a "take" of salmon). This is especially challenging given the newness of the listings and the limited federal guidance available.

The shoreline guidelines are an interesting case in point. The guidelines were written to provide an optional path that would ensure local governments compliance with the ESA. But this linkage to the ESA was one of the reasons the guidelines were overturned by the Shoreline Hearings Board. History has shown that it takes years to resolve management issues for listed species. In the future, the agency will continue to work with the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and other state partners to

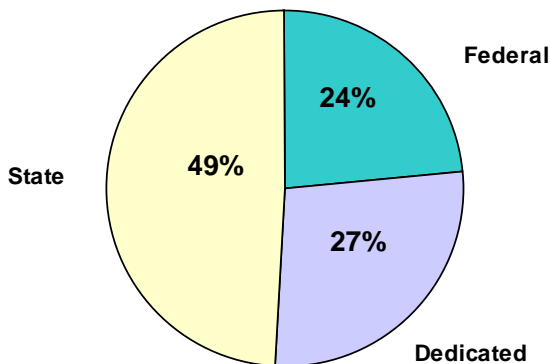
Shorelands and Environmental Assistance Program Budget

Budget: \$43,932,911 Staffing: 153 FTEs

State	(\$ Amount)	Sources	Uses
General Fund - State	21,545,680	Multiple	Shoreline management planning, implementation enforcement, and technical assistance to local governments. Wetlands Protection and PSAT Plan implementation requirements. Watershed planning grants. Match for federal grants. SEPA, Permit Assistance Center.
Federal			
General Fund – Federal	10,410,418	Federal grants	Primary grant - NOAA Coastal Zone Management. Coastal zone management planning, implementation, enforcement, and technical/financial assistance to local governments. EPA grants for wetlands. Various Padilla Bay operating, data collection and analysis grants. Sediment cleanup. WCC
Dedicated Funds			
General Fund – Private	3,274,524	Cost reimbursement contracts, donations, and other miscellaneous income	Permit and project review and outsourcing contracts. Padilla Bay operations and Washington Conservation Corps.
Flood Control Assistance	3,947,795	Treasurer transfer from the State General Fund	Administer Flood Control Assistance program. Grants to local governments for comprehensive flood mitigation projects, repair of damaged dikes, and levees
Water Quality Account	4,626,494	Tobacco Tax	Washington Conservation Corps, watershed assessments, streamflow monitoring, watershed coordination assistance, and grants.
Environmental Excellence	128,000	Agreements with businesses or local governments	Provides authority to enter into agreements to develop innovative ways to protect human health and the environment, by improving operating efficiency.

SEA

SEA Program Dollars by Fund Source



SEA Program Dollars by Activity

